

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

v.

HARMAN INTERNATIONAL
INDUSTRIES, INCORPORATED,

Defendant.

Civil Action No.: 05-10990 DPW

Magistrate Judge Judith G. Dein

**MOTION TO COMPEL PRODUCTION OF
LICENSING DOCUMENTS WITHHELD ON HARMAN'S PRIVILEGE LOG**

This motion is a “conditional” motion, filed in response to Harman’s now pending motion to compel where Harman seeks production of documents listed on MIT’s privilege log related to license negotiations, but refuses to produce the same categories of documents that it has placed on its privilege log. (See Docket Entry No. 84.) As noted by MIT in its opposition to Harman’s motion, Harman demands these licensing-related documents from MIT, while withholding dozens of the same types of documents it seeks by its motion on its own privilege log. (See Docket Entry No. 90.) While MIT believes that internal documents generated by the parties’ licensing agents are not relevant to any issue in this suit and are protected work product, if this Court finds otherwise and is inclined to allow Harman’s motion, Harman should likewise be ordered to produce similar documents. Thus, MIT hereby moves to compel production of similar licensing-related documents Harman has withheld on its privilege log, as specified below:

- **Documents Reflecting License Negotiations With MIT** (Harman Entry Nos. 24, 31, 45, 50, 53, 61, 63, 64, 197, 293, 302-303, and 305) (*see Ex. 1*)
- **Documents Reflecting License Negotiations With Navtech** (Harman Entry Nos. 241, 242, 246, 315, 316, 318, 319, 321) (*see Ex. 1*)

- **Documents Reflecting License Negotiations with Zeevi** (Harman Entry Nos. 269-289, 306) (*see Ex. 1*)
- **Documents Reflecting Other License Negotiations** (Harman Entry Nos. 323-330) (*see Ex. 1*)

Apparently, Harman contends that because its licensing agent is also an attorney, all the documents he was copied on are privileged -- *even if they are the same type of licensing documents as those withheld by MIT*. Harman cannot have it both ways – if MIT cannot withhold documents that were created in the course of license negotiations, then neither can Harman.

For example, Harman entry No. 50 claims attorney-client and attorney work product privilege for correspondence relating to “preparation for meetings with MIT.” Harman entry Nos. 241 and 242 claim attorney-client privilege on emails “regarding NavTech licensing.” Harman entry No. 269 claims attorney-client privilege on an email “regarding the Zeevi patent.” (Harman eventually purchased a license to practice the invention claimed in the Zeevi patent.) Harman entry No. 323 claims attorney-client and attorney work-product protection on an email (and attachment) regarding a “license agreement and draft license agreement.”

Rule 26(b)(3) does not treat lawyers differently from other party representatives for purposes of establishing work-product protection. *See In re Grand Jury Subpoena*, 220 F.R.D. 130, 141-42 (D. Mass. 2004). If Harman's in-house licensing agents, Messers. Hart and Peracchio, happen to be lawyers, it doesn't mean that their business-related documents suddenly obtain some higher level of protection. Certainly, they should not be treated any differently from Swartz and Turner, for purposes of assessing work-product protection.

Thus, if this Court finds that such licensing-related documents are relevant to this suit, and that MIT must produce such documents despite its claim of work product protection, MIT respectfully requests that this Court:

1. Order Harman to produce to MIT the licensing-related documents Harman has withheld, as listed above, simultaneous with any production this Court orders MIT to make;
2. Reserve MIT's rights to depose, or re-depose, any Harman witnesses that are necessary upon review of such documents, including but not limited to Mr. Hart regarding the content of those documents, commensurate with Harman's rights to depose any additional witnesses; and
3. Grant MIT such other and further relief as the Court deems equitable and/or appropriate.

Compliance with Local Rules 7.1 and 37.1

MIT's counsel discussed the matters raised herein with Harman's counsel in numerous conversations, and through various correspondence in May and July of 2006, most recently on July 13, 2006, attempting to resolve these disputes. As the disputes remain unresolved, MIT now seeks the Court's assistance.

July 13, 2006

Respectfully Submitted,

Massachusetts Institute of Technology,
By its Attorneys,

/s/ Steven M. Bauer

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CERTIFICATE OF SERVICE

I certify that on July 13, 2006, I caused a copy of the forgoing document to be served upon counsel of record for Harman International Industries by electronic means using the Court's ECF system.

/s/ Steven M. Bauer
Steven M. Bauer

Harman Revised Privilege Log
June 16, 2006

Priv. Doc. No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-9	unknown	M. Francis	None	None	Handwritten notes	AWP	Annotated copy of Charles Call letter containing attorney notations prepared by litigation counsel in preparation for litigation.
PRIV 24	5/17/2004	R. Hart	M. Addy		E-mail	AC	Correspondence between in-house and outside counsel relating request by R. Swartz for a meeting and not concerning non-infringement, invalidity or unenforceability.
PRIV-31	8/2/2004	W. Streff	M. Addy		E-mail	AC, AWP	Correspondence between outside counsel requesting a meeting to prepare for meetings with MIT and not concerning non-infringement, invalidity or unenforceability.
PRIV-32	8/23/2004	J. Peracchio	M. Addy		E-mail	AC	REDACTION: Correspondence between in-house and outside counsel concerning an unrelated settlement with MIT, and not concerning non-infringement, invalidity or unenforceability. Produced at HAR 278112-HAR 278117
PRIV-33	8/23/2004	J. Peracchio	M. Addy	R. Hart; T. Bast	E-mail	AC	REDACTION: Correspondence between in-house and outside counsel regarding scheduling a meeting with R. Swartz, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278143-HAR 278144
PRIV-34	8/26/2004	B. Nwaokai	M. Addy		E-mail	AC	Internal correspondence between outside counsel re call from R. Swartz to schedule a meeting, and not concerning invalidity, non-infringement or unenforceability.
PRIV-42	1/10/2005	M. Addy	R. Hart		E-mail	AC, AWP	REDACTION: Correspondence between in-house and outside counsel regarding non-MIT patent not in suit. Produced at HAR 198128-HAR 198129
PRIV-43	1/10/2005	R. Hart	M. Addy		E-mail	AC, AWP	REDACTION: Correspondence between in-house and outside counsel re non-MIT patent not in suit. Produced at HAR 198126-HAR 198127
PRIV-44	1/29/2005	R. Hart	M. Addy		E-mail	AC, AWP	Correspondence between in-house and outside counsel regarding language for Harman internal memorandum and damages, and not concerning non-infringement, invalidity or unenforceability

Priv. Doc. No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-45	1/31/2005	M. Addy	R. Hart		E-mail	AC, AWP	Correspondence between in-house and outside counsel concerning R. Swartz and not concerning non-infringement, invalidity or unenforceability
PRIV-50	2/14/2005	R. Hart	M. Addy	C. Limperis Miranda	E-mail	AC, AWP	Correspondence between in-house and outside counsel in preparation for meetings with MIT and not concerning non-infringement, invalidity or unenforceability.
PRIV-53	2/16/2005	J. Peracchio	R. Hart	K. Brown; E. Summers; M. Addy; T. Bast	E-mail	AC	Correspondence between in-house and outside counsel regarding scheduling a meeting with MIT and not concerning non-infringement, invalidity or unenforceability of the patent in suit.
PRIV-59	3/9/2005	M. Addy	R. Hart	M. Francis; A. Penn	E-mail	AC, AWP	Correspondence between outside and in-house counsel conveying presentation (produced separately) to outside counsel, and not concerning non-infringement, invalidity or unenforceability.
PRIV-61	3/27/2005	R. Hart	M. Addy	R. Hart	E-mail	AC	Correspondence between in-house and outside counsel seeking to schedule time to discuss prior meeting with MIT, and not concerning non-infringement, invalidity or unenforceability.
PRIV-62	3/31/2005	R. Hart	M. Addy		E-mail	AC, AWP	Correspondence between in-house and outside counsel re MIT-retained outside counsel and not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-63	3/31/2005	R. Hart	M. Addy		E-mail	AC	Correspondence between in-house and outside counsel seeking information from prior meeting with MIT and not concerning invalidity, non-infringement or unenforceability.
PRIV-64	3/31/2005	M. Addy	R. Hart		E-mail	AC	Correspondence between in-house and outside counsel relaying information from prior meeting with MIT and not concerning invalidity, non-infringement or unenforceability.
PRIV-65	6/30/2005	R. Hart	M. Addy; T. Bast		E-mail and attachments	AC, AWP	Correspondence between in-house and outside counsel regarding prior art for non-MIT patent not in suit.
PRIV-66	6/30/2005	M. Addy	R. Hart; T. Bast	A. Penn	E-mail and attachments	AC, AWP	Correspondence between in-house and outside counsel regarding prior art concerning non-MIT patent not in suit.
PRIV-67	7/8/2005	R. Hart	T. Bast; A. Brandes; H. Wellman	K. Rauterberg; M. Addy	E-mail	AC, AWP	Correspondence between in-house counsel, outside counsel and client re non-MIT patents not in suit and scheduling meeting to discuss MIT matter. This correspondence does not concern invalidity, non-infringement or unenforceability.

Priv. Doc. No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-72	3/23/2004	C. Dorenbeck	P. Amir	T. Bast	E-mail		REDACTION: Personal correspondence not relevant or responsive to this case. Produced at HAR 93148-HAR 93149
PRIV-74	3/23/2004	C. Dorenbeck	P. Amir	T. Bast	E-mail		REDACTION: Personal correspondence not relevant or responsive to this case. Produced at HAR 93155-HAR 93156
PRIV 76	5/4/2004	P. Amir	C. Dorenbeck		E-mail	AC	Correspondence between attorney and client providing contact information and not concerning invalidity, non-infringement or unenforceability.
PRIV 77	6/1/2004	C. Bruelle	P. Amir		E-mail	AC, AWP	Correspondence between client and attorney seeking to schedule a phone meeting, and not concerning invalidity, non-infringement or unenforceability.
PRIV-195	2/13/2005	R. Hart	R. Hart		E-mail	AWP	In-house counsel annotations regarding damages prepared in anticipation of litigation and not concerning invalidity, non-infringement or unenforceability.
PRIV-196	2/14/2005	T. Bast	R. Hart		E-mail	AC	Correspondence between in-house counsel re scheduling MIT meeting and not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-197	2/24/2005	C. Limperis Miranda	R. Hart		E-mail	AC	Correspondence between client and in-house counsel, not concerning invalidity, non-infringement or unenforceability, conveying information previously produced re licenses.
PRIV-199	2/28/2005	C. Limperis Miranda	R. Hart		E-mail	AC, AWP	Correspondence between client and counsel regarding damages and not concerning invalidity, non-infringement or unenforceability.
PRIV-200	2/24/2005	C. Limperis Miranda	R. Hart		E-mail	AC, AWP	Correspondence between client and counsel regarding damages and not concerning invalidity, non-infringement or unenforceability.
PRIV-236	3/12/2005	R. Hart	W. Streff; M. Francis		E-mail	AC	Correspondence between in-house and litigation counsel regarding Harman's organizational structure and not concerning invalidity, non-infringement or unenforceability.
PRIV-237	11/10/2003	J. Peracchio	D. Nelson; T. Heed	S. Montealegre; T. Bal; T. Brummett; K. Subre; M. Soldwisch; P. Roessger	E-mail	AC, AWP	Correspondence from in-house counsel rendering legal advice re language in product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability of the patent in suit.

Pvt. Doc. No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-238	11/10/2003	D. Nelson	J. Peracchio; T. Heed	S. Montealegre; T. Bal; T. Brummett; K. Suhre; M. Soldwisch; P. Roessger; I. Hall	E-mail	AC, AWP	Correspondence from in-house counsel rendering legal advice re language in product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-239	11/11/2003	D. Nelson	P. Roessger; J. Peracchio; T. Heed	S. Montealegre; T. Bal; T. Brummett; K. Suhre; M. Soldwisch	E-mail	AC, AWP	Correspondence from in-house counsel rendering legal advice re language in product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-240	12/16/2003	D. Nelson	J. Peracchio; P. Roessger	S. Montealegre; S. Heaps; M. Soldwisch; T. Heed; I. Hall; T. Bal; T. Brummett; K. Suhre	E-mail	AC, AWP	Correspondence from in-house counsel rendering legal advice re language in product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-241	10/12/2001	J. Peracchio	J. Childress	S. Montealegre	E-mail	AC	Correspondence from in-house counsel rendering legal advice regarding NavTech licensing, not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-242	10/17/2001	S. Montealegre	J. Peracchio	S. Ernst; M. Munn	E-mail	AC	Correspondence from in-house counsel rendering legal advice regarding NavTech licensing, not concerning invalidity, non-infringement or unenforceability of the patent in suit.
PRIV-243	4/16/2003	J. Millington	J. Peracchio	S. Montealegre; V. Droege	E-mail	AC	Correspondence with in-house counsel seeking legal review of foreign version of product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability.
PRIV-244	4/17/2003	T. Heed	S. Montealegre	J. Peracchio	E-mail	AC	Correspondence with in-house counsel seeking legal review of foreign version of product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-

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							infringement or unenforceability.
PRIV-245	4/17/2003	J. Peracchio	T. Heed; S. Montealegre		E-mail	AC	Correspondence with in-house counsel seeking legal review of foreign version of product literature, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability.
PRIV-246	4/25/2002	B. Stockhouse	E. Summers	M. Munn	E-mail	AC	Correspondence seeking legal advice regarding NavTech license and not concerning non-infringement, invalidity or unenforceability of the patent in suit.
PRIV-247	6/16/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277863-HAR 277876
PRIV-248	7/15/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277877-HAR 277883
PRIV-249	8/14/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277884-HAR 277890
PRIV-250	9/15/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277891-HAR 277896
PRIV-251	10/15/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277897-HAR 277902

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PRIV-252	11/14/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277903-HAR 277908
PRIV-253	12/17/2003	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277909-HAR 277904
PRIV-254	1/19/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277915-HAR 277926
PRIV-255	2/17/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277927-HAR 277938
PRIV-256	3/16/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277939-HAR 277951
PRIV-257	4/15/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277952-HAR 277965
PRIV-258	5/14/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277966-HAR 277980

Priv. Doc. No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-259	6/15/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277981-HAR 277993
PRIV-260	7/16/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 277994-HAR 278001
PRIV-261	8/13/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278002-HAR 278009
PRIV-262	9/14/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278010-HAR 278024
PRIV-263	10/17/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278025-HAR 278032
PRIV-264	11/15/2004	E. Summers	S. Harman; B. Girod; F. Meredith; G. Stapelton		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278033-HAR 278052
PRIV-265	12/15/2004	E. Summers	S. Harman; B. Girod; F. Meredith		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278053-HAR 278071

Priv. Doc. No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-266	1/16/2005	E. Summers	S. Harman; B. Girod; F. Meredith		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278072-HAR 278091
PRIV-267	2/14/2005	E. Summers	S. Harman; B. Girod; F. Meredith		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278092-HAR 278099
PRIV-268	3/11/2005	E. Summers	S. Harman; B. Girod; F. Meredith		Internal Memorandum	AC, AWP	REDACTION: Internal memorandum by in-house counsel reflecting legal advice re outstanding legal issues, not related to MIT, unrelated to patent in suit, and not concerning invalidity, non-infringement or unenforceability. Produced at HAR 278100-HAR 278108
PRIV-269	3/19/2003	R. Hart	E. Summers; T. Bast		E-mail	AC	Communication seeking legal advice regarding Zeevi patent
PRIV-270	3/20/2003	R. Hart	W. Streff		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent and potential litigation.
PRIV-271	3/20/2003	R. Hart	soh@ssd.com		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-272	3/20/2003	R. Hart	R. Dorman		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-273	3/20/2003	R. Hart	Ginacanares @quinnemmanuel .com		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-274	3/20/2003	R. Hart	M. Addy		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.

Priv. Doc No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-275	3/20/2003	R. Hart	T. Heed		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-276	3/20/2003	R. Hart	M. Addy		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-277	3/24/2003	R. Hart	W. Streff		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-278	3/24/2003	R. Hart	T. Bast		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-279	4/2/2003	R. Hart	L. Resh		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-280	4/2/2003	R. Hart	L. Resh	L. Hadley	E-mail	AC	Communication seeking legal advice concerning Zeevi patent and potential litigation
PRIV-281	3/26/2003	R. Hart	J. Molzen; M. Soldwisch		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV -282	4/8/2003	R.. Hart	E. Summers		E-mail	AC, AWP	Communication seeking legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-283	4/13/2003	R. Hart	E. Summers		E-mail	AC, AWP	Communication seeking and reflecting legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-284	4/13/2003	R. Hart	E. Summers		E-mail	AC, AWP	Communication seeking and reflecting legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-285	4/15/2003	R. Hart	L. Resh; R. Hart		E-mail	AC, AWP	Communication reflecting legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.

Priv. Doc No.	Date	Author	Recipient	CC	Description	Privilege Asserted	Comments
PRIV-286	5/27/2003	R. Hart	L. Resh		E-mail	ACP	Communication between attorney and client reflecting legal advice regarding Zeevi patent.
PRIV-287	6/14/2004	R. Hart	E. Summers	L. Hadley	E-mail	AC, AWP	Communication rendering and reflecting legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-288	6/14/2004	R. Hart	L. Hadley		E-mail	AC, AWP	Communication seeking and reflecting legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-289	6/14/2004	R. Hart	E. Summers; L. Hadley		E-mail	AC, AWP	Communication seeking and reflecting legal advice containing mental impressions of attorney in preparation of litigation regarding Zeevi patent.
PRIV-290	1/23/2004	R. Hart	L. Hadley; M. Addy		E-mail	AC	REDACTION: Communication regarding billing and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278145
PRIV-291	1/21/2004	R. Hart	M. Addy; L. Hadley	A. Penn	E-mail	AC	REDACTION: Communication seeking to schedule a meeting and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278146
PRIV-292	1/21/2004	R. Hart	L. Hadley		E-mail	AC	REDACTION: Communication seeking to schedule a meeting and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278147
PRIV-293	6/8/2004	M. Addy	R. Hart		E-mail	AC	REDACTION: Communication seeking to schedule conference and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278148-HAR 278150
PRIV-294	8/26/2004	M. Addy	R. Hart		E-mail	AC	Communication seeking to schedule conference and not regarding non-infringement, invalidity or unenforceability.
PRIV-295	7/21/2004	M. Addy	R. Hart		E-mail	AC	Communication regarding scheduling a meeting and not regarding non-infringement, invalidity or unenforceability

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PRIV-296	7/8/2004	R. Hart	M. Addy		E-mail	AC	Communication regarding scheduling a meeting and not regarding non-infringement, invalidity or unenforceability
PRIV-297	7/8/2004	M. Addy	R. Hart		E-mail	AC	Communication regarding scheduling a meeting and not regarding non-infringement, invalidity or unenforceability
PRIV-298	12/30/2003	R. Hart	L. Hadley; R. Hart	M. Addy; A. Penn	E-mail	AC	Communication regarding conflicts check and scheduling a meeting and not regarding non-infringement, invalidity or unenforceability
PRIV-299	12/29/2003	R. Hart	L. Hadley		E-mail	AC	Communication regarding conflicts check and scheduling a meeting and not regarding non-infringement, invalidity or unenforceability
PRIV-300	12/22/2003	R. Hart	L. Hadley	R. Dorman	E-mail	AC	Communication regarding conflicts check and not regarding non-infringement, invalidity or unenforceability
PRIV-301	12/22/2003	R. Hart	L. Hadley		E-mail	AC	Communication regarding conflicts check and not regarding non-infringement, invalidity or unenforceability
PRIV-302	4/19/2004	R. Hart	T. Bast		E-mail	AC	Communication regarding scheduling a meeting and not regarding non-infringement, invalidity or unenforceability
PRIV-303	6/8/2004	M. Addy	R. Hart	A. Penn	E-mail	AC	REDACTION: Communication regarding scheduling a conference and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278151-HAR 278153
PRIV-304	8/30/2004	M. Addy	R. Hart		E-mail	AC	REDACTION: communication seeking to schedule a meeting and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278154-HAR 278156
PRIV-305	8/30/2004	M. Addy	R. Hart	J. Pioli	E-mail	AC, AWP	REDACTION: communication regarding scheduling a meeting and not regarding non-infringement, invalidity or unenforceability. Produced at HAR 278157-HAR 278159

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PRIV-306	4/2/2003	R. Hart	L. Resh		E-mail	ACP	Communication between attorney and client seeking legal advice regarding Zeevi patent.
PRIV-307	2/23/2005	A. Brandes	S. Hanika-Heidl; G. Jeske; K Rauterberg; H. Wellman		E-mail	ACP	Communication reflecting attorney client communications regarding meeting with T. Bast re potential patent litigations not addressing the subject matter of the opinion.
PRIV-308	2/22/05	A. Brandes	T. Bast	K. Rauterberg; H. Wellman	E-mail	ACP	Communication reflecting attorney client communications regarding meeting re potential patent litigations not addressing the subject matter of the opinion.
PRIV-309	2/22/05	T. Bast	A. Brandes; H. Wellman	K. Rauterberg	E-mail	ACP	Communication reflecting attorney client communications regarding meeting re potential patent litigations not addressing the subject matter of the opinion.
PRIV-310	2/22/05	T. Bast	A. Brandes; H. Wellman	K. Rauterberg	E-mail	ACP	Communication reflecting attorney client communications regarding meeting re potential patent litigations not addressing the subject matter of the opinion.
PRIV-311	2/23/05	T. Bast	A. Brandes, H. Wellman, K.Rauterberg, S. Kanika-Heidl		E-mail	ACP	Communication reflecting attorney client communications regarding meeting re potential patent litigations not addressing the subject matter of the opinion.
PRIV-312	8/27/01	J. Peracchio	R. Barnicaot, H. Becker, R. Guthmann, T. Harberman, M. Tyldseley, Traffic Pro USA	E. Summers	E-mail	ACP	Communication rendering legal advice re draft of Traffic Pro U.S. owners manual
PRIV-313	8/28/01	R. Guthmann	R. Barnicoat, H. Becker, T. Harberman, M. Munn, J. Peracchio, Traffic Pro USA, M. Tyldesley	E. Summers	E-mail	ACP	Communication seeking legal advice re draft of Traffic Pro U.S. owners manual
PRIV-314	9/13/01	J. Molzen	I. Hall		E-mail	ACP	Communication reflecting legal advice sought from J. Peracchio re draft of Praffic Pro U.S. owners manual

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PRIV-315	9/5/01	T. Harberman	M. Munn, J. Peracchio, J. Wietzke	R. Barnicaot, R. Guthmann, A. Lehmann, J. Molzen, M. Tyldesley	E-mail	ACP	Communication seeking legal advice re draft license agreement between Harman and Navtech
PRIV-316	9/7/01	J. Peracchio	T. Harberman, M. Munn, J. Weitzke	R. Barnicaot, R. Guthmann, A. Lehmann, J. Mozlen, M. Tyldesley	E-mail	ACP	Communication rendering legal advice re draft license agreement between Harman and Navtech
PRIV-317	4/24/01	J. Molzen	K. Hammer		E-mail	ACP	Communication seeking information at request of J. Peracchio in rendering legal advice re product testing
PRIV-318	4/22/05	M. Herforth	T. Bast	J. Ohler, S. Hanika-Heidl	E-mail and attachments	ACP	Communication seeking legal advice re draft evaluation agreement with Navtech
PRIV-319	6/25/04	S. Hanika-Heidl	T. Bast	K. Rauterberg, G. Jeske	E-mail	ACP	Communication seeking legal advice re contractual agreement with Navtech
PRIV-320	3/1/00	R. Guthmann	E. Geiger, J. Wietzke, J. Kobinger, P. Popov, M. Munn, J. Slabig, M. Maul, K. Becker, B. Stockhause, H. Fiederling, H. Behler, G. Jeske, SW@innovative-systems.de		Attachment	ACP	REDACTION: Communication reflecting legal advice sought re navigation systems of other manufacturers Produced at HAR 573529
PRIV-321	10/13/03	A. Lehmann	S. Singh, T. Slominski	V. Droege, J. Molzen, S. Montealegre	E-mail	ACP	REDACTION: Communication reflecting legal advice sought from T. Bast re license agreements with Navtech Produced at HAR 592233
PRIV-322	10/13/03	S. Montealegre	A. Lehmann, S. Singh, T. Slominski	V. Droege, J. Molzen	E-mail	ACP	REDACTION: Communications reflecting legal advice sought from J. Peracchio re database software Produced at HAR 592229

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PRIV-323	5/19/05	J. Molzen	J. Peracchio		E-mail and Attachment	ACP, AWP	REDACTION: Communication seeking legal advice re license agreement and draft license agreement Produced at 654879, 654881-654882
PRIV-324	5/22/05	T. Bast	J. Ohler, J. Peracchio	J. Molzen	E-mail	ACP	REDACTION: Communication rendering legal advice re license agreement Produced at HAR 654764-HAR 654765
PRIV-325	5/29/05	J. Peracchio	T. Bast, J. Ohler	J. Molzen	E-mail and Attachment	ACP, AWP	REDACTION: Communication rendering legal advice re license agreement and draft license agreement Produced at HAR 654870-654871, 654873-654876
PRIV-326	5/19/05	J. Molzen	J. Peracchio		E-mail	ACP	REDACTION: Communication seeking legal advice re license agreement Produced at HAR 654860
PRIV-327	5/19/05	J. Peracchio	J. Molzen	T. Bast	E-mail	ACP	REDACTION: Communication rendering legal advice re license agreement Produced at HAR 65854-654855
PRIV-328	5/19/05	J. Molzen	J. Peracchio		E-mail	ACP	REDACTION: Communication seeking legal advice re license agreement Produced at HAR 654849-654850
PRIV-329	5/20/05	J. Peracchio	J. Molzen	T. Bast, J. Ohler	E-mail and Attachment	ACP, AWP	REDACTION: Communication rendering legal advice re license agreement and draft license agreement Produced at HAR 654792-654794, HAR 654798-654801
PRIV-330	5/22/05	J. Peracchio	T. Bast, J. Ohler	J. Molzen	E-mail	ACP	REDACTION: Communication rendering legal advice re license agreement Produced at HAR 654755-654758

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